

Maximizing Trust, Minimizing Conflicts: What Are Cities and Counties Doing to Promote Ethical Governance

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EXECUTIVE SUMMARY

In 2002, the Miami-Dade County Commission on Ethics and Public Trust conducted a national survey of local governments. The impetus for this study was to find out what local governments were doing to promote the goals of ethics and accountability in local government administration and decision-making. We wanted to get a snapshot of what specific activities or mechanisms were in place to further these goals. Specifically, the survey questioned a number of areas including:

- Existence of an ethics commission or board, whether formal or informal
- A code of ethics or conflict of interest policy for government employees and officials
- Availability of ethics training for employees and officials-mandatory or not
- Lobbying legislation
- Mechanisms to render ethics advice
- Whistleblower protection

Understanding that this exercise would not gauge the ethical climate of local government in the United States in any exact or scientific manner, at minimum though, we thought it could do have two effects: foster greater study in this area; and offer a forum to share information not easily acquired, otherwise.

The sixteen-question survey was mailed to five hundred and forty-seven [547] cities and counties with populations of 50,000 or more.

Key Finding:

- Nearly 25% of the respondents have some form of an ethics board or commission- 93% without one have no interest to create one
- Nearly 40% of local governments provide some form of regular ethics training or education to employees-this figure drops to 30% for those in management positions
- Only 17% of elected officials are mandated to participate in ethics training
- Nearly 75% of the respondents do not have local laws governing lobbyists
- More than 80% of the respondents have resources available for those who seek ethical advice-50% use the city/county attorney for this particular function
- More than 50% of all respondents have a hotline or other avenue to report wrongdoing
- Nearly 75% provide whistleblower protection
- More than 80% reported that “general conflict of interest questions” were their greatest concern-lack of public trust a distant second with 37%

It is difficult to glean any local government ethics trends from this survey.

Certainly, the results highlight that more is needed in the way of mandatory ethics training and education at all levels. At the very least, the responses indicate that more study and review of local governmental ethics efforts are needed. Areas subject to further exploration may include:

- Whistle blowing: retaliation; type of protection; satisfaction with process
- Specifically, what are the “conflicts of interest” that are of the greatest concern
- Why no interest in creating some type of ethics board or commission
- Of the 25% which have ethics boards, what is the structure/how do they function

Citizens continue to demand more trust and accountability in government. Why? One can pick up a newspaper in any part of the country and still read that local governments

continue to face ethical dilemmas and crises. Ethics training alone is not the panacea, though. A significant step in any local government ethics programs embraces a holistic and balanced approach-combining effective laws, training programs and enforcement procedures and penalties.

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The Miami-Dade County Commission on Ethics and Public Trust is an independent agency with advisory and quasi-judicial powers. Its five member commission is dedicated to restoring public trust in the administration of government through informing the public and private sector about the laws and seeking strict compliance with them. The agency renders ethics advisory opinions, investigates complaints related to the ordinances within its jurisdiction and conducts ethics education and outreach programs around the community.